

**Notice of Allowability**

Application No.

10/699,716

Examiner

Gay Ann Spahn

Applicant(s)

SIMMONS, ROBERT J.

Art Unit

3635

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to communications filed on 26 April 2006 and 10 July 2006.
2. ☒ The allowed claim(s) is/are 2 and 3.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
  - (a) ☒ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
    - 1) ☒ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☒ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☒ Notice of References Cited (PTO-892)
2. ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date 26 April 2006
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

## **EXAMINER'S AMENDMENT**

### ***Information Disclosure Statement***

The information disclosure statement (IDS) submitted on 26 April 2006 was filed after the mailing date of the first Office Action on 13 April 2005. The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement has been considered by the examiner.

However, the seven (7) items listed in the U.S. Patent Documents section (i.e., USPN 925,677 to Belcher, USPN 1,315,016, USPN 1,729,743 to Jorgenson et al., USPN 1,977,715 to Coleman, USPN 2,947,390 to Stollenwerk, USPN 3,706,169 to Rensch, and USPN 5,471,810 to Sugisawa et al.) have been lined through as not being considered because these references have already been considered in the Information Disclosure Statement filed on 03 November 2003, an initialed, signed and dated copy of which was enclosed with the first Office Action mailed on 13 April 2005.

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Attorney Jon Dickinson on 28 September 2006.

The application has been amended as follows:

**IN THE DRAWINGS:**

The following changes to the drawings have been approved by the examiner and agreed upon by applicant:

(1) Fig. 2, delete the reference numeral "26", lead line, and the straight solid line arrow the lead line is leading to, all of which are located above the legend "Fig. 2";

(2) Fig. 3, delete the lead line and the straight solid line arrow the lead line is leading to, both of which are located between deflection arrow (34) and the flange "24a" of I-beam "24"; and

(3) Figs. 2 and 3, the "brace" (i.e., "{") above both figures should be elongated so as to encompass the entire figure.

In order to avoid abandonment of the application, applicant must make these above agreed upon drawing changes.

In addition, the drawings filed on November 3, 2003, April 26, 2006, and July 10, 2006 must have the informalities indicated on the attached "Notice of Draftsperson's Patent Drawing Review," (i.e., PTO-948) corrected. In order to avoid abandonment of this application, correction is required in reply to the Office action. The correction will not be held in abeyance.

**IN THE SPECIFICATION:**

Please amend the specification as follows:

(1) in the Amendment filed on 10 July 2006 (i.e., Applicant's paper entitled "Substitute Response to Office Action Under 37 C.F.R. §1.111"), please amend the paragraph on page 2, as follows:

The specific connectors shown herein have been constructed, with respect to the configuration of trough TR, to fit and wrap complementarily as a comer wrap around the outside comer of a hollow, tubular, square-cross-section column, such as the column shown at 19 in Figs. 2, 3 and 4. This column's long axis is shown at 19a. Very specifically, the right angle which defines trough TR is intended, thus, effectively to match the right angles which define the comers on the outside of column 19. Each such comer, of course, is the result of an intersection of two column faces, and the 90-degree intersection illustrated herein is referred to as a known angle. A connector, such as the four connectors shown herein, is secured as by welding to an outside comer of column 19 at a particular longitudinal location along the length of that column. Under circumstances where, for example, the ends of four I-beams are to be connected to the column at that longitudinal location along the column, a cluster arrangement of four successively next-adjacent connectors (in this instance connectors 10, 12, 14, 16) is formed around the column at that location, with each connector appropriately corner-welded through passages, such as those shown at 18 for connector 10 in Fig. 1, to the appropriate outside comers of the column. In Figs. 2 and 4, weld connections, which are illustrated as darkened regions, are shown generally at 20. In Fig. 2, no such weld

Art Unit: 3635

connection is illustrated there for connector 10 in order to provide an opportunity to illustrate the location of previously mentioned long axis 10B of connector body 10A.

**IN THE CLAIMS:**

Claim 1 is canceled.

***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. In Figs. 8a and 8b, U.S. Patent Application Publication No. 2002/0059774 to Collins discloses a W-shaped connector (90).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gay Ann Spahn whose telephone number is (571)-272-7731. The examiner can normally be reached on Monday through Thursday, 8:30 am to 7:00 pm.

Art Unit: 3635

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Naoko N. Slack can be reached on (571)-272-6848. The fax phone number for the organization where this application or proceeding is assigned is (571)-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

GAS  
Gay Ann Spahn, Patent Examiner  
September 28, 2006

Robert Canfield  
Primary Examiner

